

## Chapter 9 – NHA Management

### ***Management Entity***

The management entity is the organization responsible for developing the NHA management plan, raising and administering funds, running projects, conducting public outreach and other necessary work to manage the NHA consistent with the NHA's mission, vision, and goals. NEPA compliance must also be integrated into the management planning process, due to the federal funding involved and the adoption of the management plan by the Secretary of the Interior. Organizations which have served to manage existing NHAs include: nonprofits (the most common type), federal commissions, state agencies, and public corporations. The management entity should be composed of a diverse membership of representatives from local stakeholder groups to ensure that the full spectrum of varied interests is involved in decision making. Representatives from NPS serve on NHA management entities in advisory, non-voting roles.

One key task of the management entity is to acquire funds to meet the 50% cash matching requirements for the federal financial awards which may become available upon NHA designation. Total federal funding ranges from \$150,000 to \$1,000,000, with a maximum of \$1,000,000 per year for 10 years, though awards have generally declined in recent years. It may not be possible to identify specific amounts of federal resources during the feasibility study process, but what may be gauged is the past or potential capacity and creativity of the management entity to attract financial support.

This chapter proposes the DPC should serve as the management entity for the Delta NHA with a new or existing nonprofit, private 501c3 serving as a partner organization to assist with fundraising.

### **Delta Protection Commission**

The DPC was established by the Delta Protection Act of 1992 and has a mission to adaptively protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment consistent with the Delta Protection Act and the Delta Plan. This includes, but is not limited to, agriculture, wildlife habitat, and recreational activities. The DPC's Land Use and Resource Management Plan for the Primary Zone of the Delta is the planning document of which consistency is required by local government general plans whose jurisdictions fall within the Primary Zone.

The DPC was mandated with conducting this feasibility study through SB X7-1, but this legislation did not identify a NHA management entity. However, the 2011 Delta NHA legislation introduced by Feinstein and Garamendi (appendix 1 and 2, respectively) does identify the DPC as the management entity.

The DPC is a locally recognized agency in the Delta and has an extensive network of local stakeholders to whom it conducts regular outreach to. The DPC is governed by 15 members, with representation from the following organizations:

|  |   |
|--|---|
| Contra Costa County Board of Supervisors   | Central Delta Reclamation Districts         |
| Sacramento County Board of Supervisors     | North Delta Reclamation Districts           |
| San Joaquin County Board of Supervisors    | South Delta Reclamation Districts           |
| Solano County Board of Supervisors         | Business, Transportation and Housing Agency |
| Yolo County Board of Supervisors           | Department of Food and Agriculture          |
| Cities of Contra Costa and Solano Counties | Natural Resources Agency                    |
| Cities of Sacramento and Yolo Counties     | State Lands Commission                      |
| Cities of San Joaquin County               |   |

While the proposed NHA boundaries extend beyond the Delta's Primary Zone, this would not extend the DPC's authority outside of the Primary Zone as no land use authority is granted with NHA designation. As the NHA management entity, the DPC would play an administrative role for projects throughout the NHA boundaries, utilizing the NHA management plan as the guiding document. Previously, the DPC has administered projects that fall outside of the Delta, including links of the Delta Trail in the Benicia State Recreation Area and Glen Cove Waterfront in Solano County. Both of these projects included the DPC working in partnership with local organizations to seek funding, and conduct project planning and implementation. NHA projects would be carried out in a similar nature.

### **Advisory Committees**

Advisory committees would be developed for NHA management in order to bring the diversity of perspectives and expertise to the table to ensure that NHA activities are carried out in ways which are aligned with the varied interests, capabilities and infrastructure of the region. The NHA management plan would need to be developed within three years upon adoption of the feasibility study by Congress. Upon commencement of the management plan development, a Technical Advisory Committee (TAC) and a Stakeholder Advisory Committee (SAC) would be formed to provide regular input throughout the process. The TAC will include local agency staff whose jurisdiction fall within the NHA boundaries, including staff from all five Delta counties. Members from a spectrum of local stakeholder groups (representing recreation, businesses, cultural and natural resources, landowners, agriculture, etc.) would be invited to serve on the SAC.

### **A new or existing nonprofit organization**

A new or existing nonprofit 501c3 organization could serve as a key partner organization to assist with fundraising. Nonprofit organizations are the most common NHA management entities, and generally function as public charities.

### **Funding Capabilities**

Funding for the Delta NHA could be sought from a variety of sources, including state and local governments, foundations, philanthropy contributions from corporations, and individuals from

the Delta and surrounding area. Current economic conditions have been particularly challenging for federal, state, and local governments, and nonprofit organizations. However, as other NHAs have shown, obtaining stature and recognition on a national level can help lead to increased funding opportunities.

A matrix of potential grant funding opportunities can be found in appendix 5. These funding opportunities are of relevance to a Delta NHA based on the nature of projects which they fund, including: marketing/promotion, historic preservation, education/interpretation, tourism/recreation, and more. Many of these programs offer cash grants and therefore could be potential sources of the 50% match requirement for federal funding granted with NHA designation. The matrix outlines the funding organizations, grant names, eligible projects, due dates, award amounts, matching requirements, eligible applicants, and websites. Some of the information outlined in the matrix is taken from previous funding cycles, and the specifics may change with time.

### ***Compatible Projects***

The DPC facilitates a number of existing projects that hold potential compatibility with a Delta NHA. These projects are all examples of community driven approaches to the conservation of the Delta's resources (ecological, recreational, agricultural, economic, etc.), and therefore reflective of the DPC's capabilities of working with local stakeholder groups on projects that are beneficial to the Delta environment. Means by which a Delta NHA could further enhance these projects are summarized in the sections below.

### ***Abandoned Vessel Removal***

The DPC facilitates coordination amongst local government law enforcement officials, resource managers and planners, building officials, and interested parties to develop solutions to the growing environmental and enforcement problems of abandoned vessels in the Delta. The group has developed a list of tools to address the issue and is pursuing further actions to ensure that abandoned vessels are removed throughout the waterways of all five Delta counties. As an expected outcome of NHA designation in the Delta is an increase in visibility of the region as a recreational destination, the Delta NHA will further illuminate the need for clean and navigable waterways which is of utmost importance for water-based recreation in the Delta. A Delta NHA can help draw local, state, and national attention to these issues and potentially identify necessary policy changes and funding opportunities to ensure the safety and navigability of Delta waterways.

### ***Agritourism Programs***

The DPC supports programs to encourage agritourism as an economic enhancement method and an educational tool for the sustainability of the Delta. The DPC has assisted the UC Small Farm Program with hosting workshops in the Delta on the topic of agritourism development, incorporated agritourism as an objective in other recreational planning processes, and will continue to pursue opportunities for agritourism programs in the future. Goals of the Delta NHA include the promotion of Delta agritourism, as well as supporting economic development by drawing visitors to sites which may include local markets, farmstays, wineries, and other

agritourism ventures. With NHA designation, additional projects can be developed, such as interpretive panels, museums, school programs, and more, to educate people not just on current Delta agriculture, but also on its rich agricultural history. The UC Small Farm Program can be a potential partner for agritourism initiatives the stem from a Delta NHA by assisting with activities such as education, networking, and marketing to help further enhance and develop Delta agritourism.

### **California Coastal Cleanup Day**

The DPC annually hosts California Coastal Cleanup Day sites along waterways in all five Delta counties. Efforts have led to thousands of pounds of garbage being removed by dozens of volunteers every year. A Delta NHA can help bring further visibility to the necessity of maintaining a clean Delta, and therefore help to attract volunteers to cleanup day sites and bring together potential partners such as the Delta counties, environmental groups, and recreational organizations. These efforts can help further enhance the aesthetic and environmental integrity of the Delta, which can in turn maintain the Delta as an entrancing place for outdoor recreation and tourism.



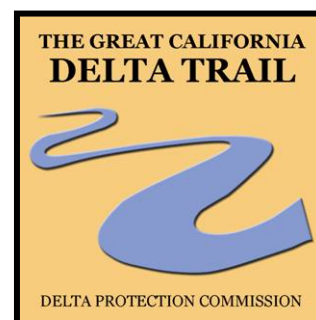
2010 Coastal Cleanup Day Volunteers in Contra Costa County

### **Delta Working Landscapes**

Delta Working Landscape projects assist farmers in integrating agricultural activities with ecosystem restoration; and include infiltration ditches, levee revegetation, and waterfowl habitat development. These projects have been done in partnership with Ducks Unlimited, The Nature Conservancy, Hart Restoration Inc., local landowners, and reclamation districts. Project implementation has occurred in Clarksburg along Elk Slough, and on Lower Jones Tract in Stockton. A Delta NHA will encourage public education about the Delta's ecological and agricultural importance, which can lead to greater recognition of the Delta's resources, establish partnerships between private landowners and participating organizations, and identify funding sources for more projects throughout the Delta. Goals of the Delta NHA include ecotourism and environmental education, and projects such as those could be undertaken at working landscape sites which have visitor access, thus helping with economic diversification in these areas.

### **The Great California Delta Trail**

Recognizing the unique natural resources of the Delta, the growing demands for public access to these resources, and the increasing recognition of the importance of outdoor recreation in addressing childhood obesity, the California Legislature passed, and the Governor signed, Senate Bill 1556 (Torlakson) supporting the creation of a Delta Trail network to go through portions of all five



Delta counties. The DPC has been mandated to facilitate and complete the feasibility, planning, and implementation process for the trail. To-date, Delta Trail blueprint reports have been completed for Contra Costa and Solano Counties and are being initiated for the remaining three Delta counties. The Delta Trail can be a way to bring persons to the Delta and direct them to sites of cultural or ecological significance. If NHA designation is granted, the NHA can be used as a regional marketing tool to increase visitation to the Delta, therefore leading to an increase in Delta Trail users which could help establish future Delta Trail links and potentially open up additional funding sources. The Friends of the Great California Delta Trail can serve as a potential partner for NHA initiatives, particularly surrounding NHA sites that are adjacent to Delta Trail links.

### ***Project Support***

Support for this project has been expressed by a number of organizations, including the following:

Antioch Historical Society  
Bay Point Garden Club  
California Delta Chambers and Visitors Bureau  
California Preservation Foundation  
California State Parks  
Carquinez Strait Preservation Trust  
Contra Costa County  
Delta Peddlers Bicycle Club  
Dutra Museum Foundation  
Friends of the Great California Delta Trail  
Isleton Brannan-Andrus Historical Society  
Isleton Chambers of Commerce  
Mokelumne Coast to Crest Trail Council  
Office of Historic Preservation  
Recreational Boaters of California  
Rio Vista, City of  
Sacramento County  
San Joaquin County  
Solano County  
Suisun Marsh Resource Conservation District  
UC Small Farm Program  
Visit California  
West Sacramento, City of

Letters of support can be found in appendix 6.

### ***Partnership Commitments***

Partnership development is a crucial component of planning and management of a NHA. Projects that stem from the partnerships reflect the ownership that local stakeholders hold for

the NHA as well as the control and capabilities that are vested at the local level to recognize, maintain and enhance the heritage resources of the region. A handful of organizations have expressed interest in serving as partners, to assist with various activities that may stem from NHA designation. These commitments all involve in-kind assistance, as staff time is available. These partnerships are summarized below, and further detail can be found in the support/commitment letters (appendix 6):

- **Bay Point Garden Club**

The Bay Point Garden Club hosts the Annual Bay Point Spring Derby on Memorial Day. It is a festival and parade which celebrates the diverse heritages in the Bay Point Region. This festival will closely align with the proposed Delta NHA theme #3: 'Multi-cultural contributions and experiences have shaped the Delta's rural landscape.' A Delta NHA will be a valuable tool to help highlight and attract visitors to the Spring Derby and other cultural events. The Garden Club has agreed to serve as a partner by providing local outreach and awareness to citizens of the Bay Point Region.

- **California Delta Chambers and Visitors Bureau**

The Delta Chambers and Visitors Bureau is an organization comprised of local chambers of commerce, visitors bureaus, businesses, and booster clubs; and serves to enhance Delta recreation and tourism. The Delta Chambers can serve as a partner by assisting with outreach to economic and recreation organizations in the Delta, identification of potential NHA partner sites, and assistance with marketing/promoting NHA activities.

- **California Preservation Foundation**

The California Preservation Foundation is the only nonprofit organization dedicated to the preservation of California's architectural heritage. The foundation is currently working with the City of Isleton to develop and approve a Historic Preservation Plan and Ordinance to preserve the city's National Register District and increase tourism. The Foundation has offered their technical assistance for a Delta NHA through the Field Services Program. This assistance will help with direct support for historic preservation on NHA sites.

- **Contra Costa County**

Contra Costa County is shared by the San Francisco Bay Area and Delta Region, and has an extensive waterfront along the San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, and the Delta. A number of the communities in the county lie within the proposed Delta NHA boundary including: Port Costa, Martinez, Pittsburg, Antioch, Oakley, Bethel Island, Knightsen, Brentwood, and Discovery Bay. The County has committed staff time to participate in the TAC that will be developed upon commencement of a Delta NHA management planning process.

- **Dutra Museum Foundation**

The Dutra family has been involved with Delta dredging since 1904, and has played a very active role in levee maintenance and farmland protection. The Dutra Museum is a private collection of materials that interpret the history of clamshell dredging in the Delta. The

Museum's collection is closely linked to the proposed NHA theme #2: 'Conversion of the Delta from marshland to farmland was one of the largest reclamation projects in the United States.' The Foundation has agreed to serve as partners by providing assistance with projects related to educating and promoting the history of dredging in the Delta.

- **Friends of the Great California Delta Trail**

The Friends of the Great California Delta Trail works to gain community support and awareness for links of the Delta Trail and recognizes the unmet recreational needs in the Delta. The Friends of the Great California Delta Trail can assist a Delta NHA through local outreach and public awareness about the NHA and partner sites that are adjacent to the Delta Trail links.

- **Isleton Brannan-Andrus Historical Society**

The Historical Society is committed to the preservation and promotion of the history of Isleton and the surrounding Delta area. The Historical Society can serve as partners with tasks including public outreach, and the identification of historical resources which could serve as partner sites.

- **Isleton Chamber of Commerce**

The Isleton Chamber of Commerce has been working with the city of Isleton and the California Preservation Foundation, on the Historic Preservation Plan and Ordinance to help with preservation and enhancement of Isleton's historic buildings. The Chamber can serve as partners relative with local historic preservation and economic development of Isleton.

- **Mokelumne Coast to Crest Trail Council**

The Mokelumne Coast to Crest Trail Council is a nonprofit corporation helping to develop and maintain the Mokelumne Coast to Crest Trail (MCCT) – a 300-mile non-motorized, multi-use trail system roughly following the Mokelumne River from the Sierra crest headwaters, through the Delta, and down to the river's opening at the Carquinez Strait. Currently, the Delta section of the MCCT is in the pre-planning phase. The Council could serve as partners for NHA activities that are related to the planning, recognition, enhancement, and development of the MCCT or resource sites that support the MCCT, which could include the installation of visitor amenities such as public restrooms, garbage receptacles, directional signage, and dockage along the MCCT.

- **Sacramento County**

A number of the Delta's 'Legacy Communities' are found in Sacramento County, including: Freeport, Hood, Courtland, Locke, Walnut Grove, and Isleton. These rivertowns contain resources reflective of the Delta's rich history, and are important centers to support the Delta's economy. Sacramento County can serve as partners by providing assistance, as staff time allows, with tasks including public outreach, acquiring data for the NHA management plan, and collaboration on NHA projects within the county.

- **UC Small Farm Program**

The UC Small Farm Program assists small and family farms in California so that they remain sustainable, dynamic, and viable parts of their community. The UC Small Farm Program has previously partnered with the DPC to hold workshops on establishing agritourism in the Delta. Efforts such as this closely align with the Delta NHA goals of encouraging Delta agritourism and promoting economic development. The Small Farm Program has agreed to partner on NHA activities related to agritourism which may include facilitating discussions and networking, investigating funding sources for agritourism promotion, local outreach, and more.

- **Visit California**

Visit California is a nonprofit organization which strives to develop and maintain marketing programs to keep California as a premier travel destination. The organization understands the importance of promoting the Delta to domestic and international travelers to support economic development and public education of the Delta. Visit California can identify and market Delta NHA partner sites on their website.

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## Chapter 10 – Local Protection Measures

The DPC fully supports the protection of private property rights and NHA status should not implicate private property rights. The DPC will work to ensure that there will be no negative impacts stemming from NHA activities on private property, should the designation occur. The protection of agricultural integrity and viability in the Delta has been a key priority of the DPC since its formation and will continue to be so regardless of a Delta NHA designation.

Throughout the feasibility study process, a number of stakeholders have expressed concerns on a Delta NHA's impacts to private property rights and agricultural practices. Specific concerns have included:

1. Increased land use authority and/or land acquisition authority.
2. Increased restrictions on agricultural practices (e.g., spraying) that could result from an increase in visitors to the region.
3. Increased visitors to the Delta that could cause problems such as vandalism, theft, trespassing, etc., to agricultural areas.
4. Lack of oversight and management in recreational areas that could have negative implications (e.g., solid waste) on farmland.

This section outlines each of these concerns, along with approaches to address them.

### ***Concern #1 - Increased Land Use Authority/Land Acquisition Authority***

Concerns have been expressed by local stakeholders that land use authority and/or land acquisition authority will be granted to the management entity with NHA designation. However, research conducted indicates that these authorities are not granted with NHA designation; and enabling legislation and opt-out provisions can further protect private property owners.

### **Interviews**

DPC staff conducted interviews with directors from several existing NHAs regarding private property rights implications. Representatives stated that similar concerns have been expressed during their feasibility study processes, however these concerns were alleviated with time as citizens realized that NHAs do not threaten property rights. Summary points of these interviews conclude:

- No federal strings are attached with NHA designation.
- No power is given to management entities which supersede local decisions.
- Property owners can opt-out from being involved in the NHA.

Detailed outlines of these interviews can be found in appendix 3.

## GAO Report

A study by the General Accounting Office (GAO), now called the Government Accountability Office, was released in 2004 which amongst other things examined any effects that NHAs have on private property rights.<sup>1</sup> This study was conducted as property rights advocates had raised a number of concerns about the potential effects of NHAs on private property rights and land use. Twenty-four NHAs were in existence at the time. The study concluded:

*“...officials at the 24 heritage areas, Park Service headquarters and regional staff working with these areas, and representatives of six national property rights groups that we contacted were unable to provide us with a single example of a heritage area directly affecting-positively or negatively-private property values or use.”*

## Enabling Legislation

The 2011 legislation for a Delta NHA, introduced by Dianne Feinstein, as well as the companion legislation introduced by John Garamendi (appendices 1 and 2 respectively), included private property and regulatory protections as follows:

### SEC. 3. SACRAMENTO-SAN JOAQUIN DELTA HERITAGE AREA.

#### *(h) Private Property and Regulatory Protections-*

##### *(1) IN GENERAL- Subject to paragraph (2), nothing in this Act--*

*(A) abridges the rights of any property owner (whether public or private), including the right to refrain from participating in any plan, project, program, or activity conducted within the Heritage Area;*

*(B) requires any property owner to permit public access (including access by Federal, State, or local agencies) to the property of the property owner, or to modify public access or use of property of the property owner under any other Federal, State, or local law;*

*(C) alters any duly adopted land use regulation, approved land use plan, or other regulatory authority of any Federal, State or local agency, or conveys any land use or other regulatory authority to the management entity;*

*(D) authorizes or implies the reservation or appropriation of water or water rights;*

*(E) diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area; or*

*(F) creates any liability, or affects any liability under any other law, of any private property owner with respect to any person injured on the private property.*

*(2) OPT OUT- An owner of private property within the Heritage Area may opt out of participating in any plan, project, program, or activity carried out within the Heritage Area under this Act, if the property owner provides written notice to the management entity.*

The feasibility study for a Santa Cruz Valley NHA in Arizona includes specific language regarding private property and regulatory protections. This is quite similar to the language developed in the Feinstein legislation, with additional measures, as follows:

***(b) Private Property Owner Protection-***

*(1) No privately owned property shall be preserved, conserved, or promoted by the management plan for the National Heritage Area until the owner of that private property has been notified in writing by the management entity and has given written consent for such preservation, conservation, or promotion to the management entity.*

*(2) Any owner of private property included within the boundary of the National Heritage Area shall have their property immediately removed from within the boundary by submitting a written request to the management entity.*

**Opt-out provisions**

In addition to language in the proposed enabling legislation, *existing* federal legislation allows property owners to opt out from participation in the NHA. Sec. 127 of Public Law 111-88-Oct. 30, 2009 states:

*Any owner of private property within an existing or new National Heritage Area may opt out of participating in any plan, project, program, or activity conducted within the National Heritage Area if the property owner provides written notice to the local coordinating entity.*

In summary, no land use authority or land acquisition authority is granted with NHA designation. Enabling legislation can provide further protection if concerns remain, and existing opt-out provisions allow private property owners to opt-out from NHA plans, projects, programs or activities.

***Concern #2 - Restrictions on agricultural practices***

Some concerns voiced from local stakeholders include that increases in recreational uses of the Delta, which may stem from NHA designation, will trigger nuisance complaints that will lead to restrictions on specific farming practices. Certain agricultural operations may result in noises, odors, dust, chemicals, smoke, and hours of operation, that may be in conflict with recreational activities. While these concerns are certainly valid, existing measures are in place to help protect agricultural practices from being negatively impacted by recreational activities, including Right-to-Farm Ordinances, and the Delta Protection Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta. A Delta NHA will not impact these as NHA designation has no regulatory authority and cannot supersede existing local and state regulations.

### **Right-to-farm ordinances**

Each of the five Delta counties have Right-to-Farm ordinances, which were developed to protect landowners from any restrictions stemming from nuisance complaints in areas where non-agricultural land uses exist adjacent to or nearby agricultural lands. Right-to-Farm ordinances would not be impacted by NHA designation. Each of the five Delta counties' Right-to-Farm ordinances can be found in appendix 4.

### **Land Use and Resource Management Plan for the Primary Zone of the Delta**

The DPC supports the protection of agricultural practices. The Land Use and Resource Management Plan for the Primary Zone of the Delta (Plan) was adopted by the DPC in 1995, and updated in 2010. It is required that all local general plans within the Primary Zone are consistent with the Plan. Goals and policies of the Plan support agriculture, and seek to minimize conflicts between agriculture and recreation. Relevant policies are as follows:

#### **Land Use**

*Policy 2 - Local government general plans, as defined in Government Code Section 65300 et seq., and zoning codes shall continue to promote and facilitate agriculture and agriculturally-supporting commercial and industrial uses as the primary land uses in the Primary Zone; recreation and natural resources land uses shall be supported in appropriate locations and where conflicts with agricultural land uses or other beneficial uses can be minimized.*

*Policy 3 - New non-agriculturally oriented residential, recreational, commercial, habitat, restoration, or industrial development shall ensure that appropriate buffer areas are provided by those proposing new development to prevent conflicts between any proposed use and existing adjacent agricultural parcels. Buffers shall adequately protect integrity of land for existing and future agricultural uses and shall not include uses that conflict with agricultural operations on adjacent agricultural lands. Appropriate buffer setbacks shall be determined in consultation with local Agricultural Commissioners, and shall be based on applicable general plan policies and criteria included in Right-to-Farm Ordinances adopted by local jurisdictions.*

#### **Natural Resources**

*Policy 1 - Preserve and protect the natural resources of the Delta. Promote protection of remnants of riparian and aquatic habitat. Encourage compatibility between agricultural practices, recreational uses and wildlife habitat.*

#### **Recreation & Access: Including Marine Patrol, Boater Education, and Safety Programs**

*Policy 4 - Encourage new regional recreational opportunities, such as Delta-wide trails, which take into consideration environmental, agricultural, infrastructure, and law enforcement needs, and private property boundaries. Also, encourage opportunities for water, hiking, and biking trails.*

*Policy 11 - Recognizing existing laws, encourage establishment of Delta-wide law enforcement protocols on local public nuisance and safety issues, such as trespassing, littering, and theft.*

The full Plan can be viewed online at: [www.delta.ca.gov](http://www.delta.ca.gov)

***Concern #3 - Increased visitors to the region will result in conflicts such as vandalism, theft, trespassing, etc. to agricultural areas.***

Objectives of NHA designation include the promotion of tourism and recreational activities, which has triggered concerns amongst private landowners in the Delta regarding potential conflicts from unwanted visitors on farmlands. Concerns include that persons will engage in activities on private farmlands including trespassing, theft, vandalism, etc. While these concerns are certainly valid, it is also important to remember that many of the proposed projects and resources surrounding NHA designation are focused on the enhancement of existing public lands and historic areas of the Delta, rather than the development of new facilities, and therefore traffic circulation in the Delta for recreation and tourism would presumably follow similar patterns as they currently do.

As discussed earlier, private property does not need to be included in the NHA and opt-out provisions would be included in the enabling legislation. If a property owner opts-out it would mean that their particular property would not be included in any NHA maps or promotional material, therefore reducing the visibility of their property to visitors and reducing any associated negative impacts.

It is also important to mention that the development of regional trail systems is not included as an objective of NHA designation. However, there are other planning efforts underway for the implementation of regional trails in the Delta. SB 1556 mandated the DPC to complete the feasibility, planning and implementation process for a Great California Delta Trail, which would be a recreation corridor throughout all five Delta counties, connecting to the San Francisco Bay Trail and planned Sacramento River Trails. Currently a blueprint report has been completed for the Delta Trail Planning in Contra Costa and Solano Counties and a blueprint report for Sacramento, San Joaquin, and Yolo Counties is being initiated. Master Planning will be the next step in the trail planning process, which will identify potential specific links of the Delta trail. Throughout Delta Trail planning, DPC staff will work closely with local governments, as well as representatives from diverse groups in each county including habitat, agriculture, business, and recreation organizations, to ensure that Delta Trail planning is closely aligned with the varied interests, capabilities and infrastructure of each county. Existing public lands will be identified as key places for Delta Trail implementation. Tools such as fee purchases, easements, licenses, and MOUs can be explored to acquire property access in relevant areas, with the consent and involvement of willing landowners. Water trails will also be a key component of the Delta Trail system, and can be a viable option to ensure trail continuity in places where land trails are not feasible, however sensitive habitat and wildlife areas will not be adversely affected by the trail. Buffer zones will be implemented between the trail and places with sensitive wildlife habitat

and private uses. Further concerns about the Delta Trail should be brought to the DPC during the Delta Trail planning processes.

***Concern #4 - Lack of oversight and management in recreational areas that would have negative implications (e.g., solid waste) on farmland.***

An increase in visitors to the Delta could result in an increase in persons who litter, which could travel by water or wind to Delta farmland. While a goal of the Delta NHA is to highlight partner sites for visitor usage, a goal is also to increase visitor amenities (such as waste receptacles, public restrooms, etc.) to accommodate an increase in visitors. Seed money and leveraged funds from NHA designation would likely be funneled to certain partner sites to develop these amenities. Additionally, an increase in visitors would also presumably help the partner sites become more economically sustainable, and therefore lead to an increase in staffing to monitor visitor activities.

While it is impossible to predict the specific implications that an increase in visitors to the region will have, it is also important to remember that the management entity will be composed of local representation, from stakeholder groups including agriculture, habitat, and recreation, with regular meetings open to the public. If negative implications do result from NHA activities, the management entity will work to resolve conflicts.

The following are policies from the Plan which address issues of concern regarding littering and lack of enforcement in recreational areas.

***Recreation & Access: Including Marine Patrol, Boater Education, and Safety Programs***

*Policy 1 - Ensure appropriate planning, development and funding for expansion, ongoing maintenance and supervision of existing public recreation and access areas.*

*Policy 11 - Recognizing existing laws, encourage establishment of Delta-wide law enforcement protocols on local public nuisance and safety issues, such as trespassing, littering, and theft.*

Again, the full Plan can be viewed online at: [www.delta.ca.gov](http://www.delta.ca.gov)

<sup>1</sup>United States General Accounting Office. "National Park Service, A More Systematic Process for Establishing National Heritage Areas and Actions to Improve Their Accountability Are Needed." 2004.

## Chapter 11 – Evaluation According to Federal Criteria

NPS has ten suggested criteria to assess whether an area qualifies as a NHA. This section explains a Delta NHA, as outlined in this feasibility study, in the context of each criterion.

*1. An area has an assemblage of natural, historic, or cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use, and are best managed as such an assemblage through partnerships among public and private entities, and by combining diverse and sometimes noncontiguous resources and active communities.*

Natural, historic, and cultural resources exist throughout the Delta that represent the Delta's nationally significant heritage. These resources include museums, historic districts, public parks, recreation areas, agritourism facilities, and more. These resources are unique and valuable in regards to the existing activities and future opportunities which they hold for heritage interpretation and education. However many of the facilities have limitations in terms of their marketing abilities, hours of operation, and options for expansion due to limited staffing and financial resources. Currently there is no facilitator organization in the Delta which links these different sites together. An organization such as that could help with tasks of regional marketing/branding, developing physical and organizational linkages, and improving visitor access and understanding. A Delta NHA could be a tool to bind these different resources together into an identifiable and marketable 'Delta-brand' which could help with economic enhancement for the region as a whole, as well as for the individual sites.

*2. Reflects traditions, customs, beliefs, and folklife that are a valuable part of the national story.*

As the proposed themes have illustrated, there are many levels in which the Delta's traditions, customs, beliefs, and folklife are a valuable part of the national story. Due to the Delta's geographical location and its precious natural resources, the Delta has attracted persons from around the world who have utilized and shaped the landscape in ways that are unmatched anywhere else in the United States. Techniques and equipment developed for Delta agriculture and reclamation have been used throughout the world to help revolutionize these practices. A number of ethnic groups that established communities in the Delta still recognize their heritage in events or museums, including the Dai Loy museum in Locke, the Isleton Asian Celebration, and the Rio Vista Holy Ghost Festa. Other annual festivals in the Delta reflect the pride that residents have for Delta resources such as; the California Duck Days in the Yolo Bypass, the Courtland Pear Festival, and the Rio Vista Bass Derby.

*3. Provides outstanding opportunities to conserve natural, cultural, historic, and/or scenic features.*

The Delta is a unique and valuable resource, spanning portions of five counties in northern California at the confluence of the Sacramento and San Joaquin rivers. The Delta is an integral part of California's water system as its watershed provides over twenty-three million Californians and around four million acres of farmland with potable water. Additionally, it is an important habitat area for a large diversity of flora and fauna, an important stopover location along the Pacific flyway, and a critical corridor for anadromous fish. It is also an incredibly rich agricultural area of regional, national, and international importance.

Despite its significance, the Delta is not well known to outsiders, even people as close as the San Francisco Bay Area, Sacramento region, and Stockton. Many people benefit from the Delta, but are unaware of its existence. A Delta NHA could help educate people about its importance, and could build support in preserving, protecting and enhancing the Delta.

As discussed, there are many natural, cultural, historic, and recreational resources in the Delta. A Delta NHA could be a tool to link the visitor sites together in order to assist with regional branding/marketing, and therefore potentially lead to an increase in recognition of these areas, which in turn could help sustain the sites economically and conserve their resources. Additionally, as outlined in this study, a Delta NHA would be a tool to develop valuable partnerships for undertaking projects aimed at sustaining the Delta's key sites which contribute to the recognition, enhancement, and promotion of 'Delta as a place'.

*4. Provides outstanding recreational and educational opportunities.*

The Delta is a predominantly rural landscape lying in the midst of major metropolitan areas, and is a prime area for outdoor recreation by both Delta residents and urban dwellers from the surrounding cities. Ever since steamboats began traveling the Delta's waters during the Gold Rush, the Delta has been used as a major center for outdoor recreation. While numerous public and private recreational facilities exist throughout the Delta, efforts could be made to enhance both physical and organizational linkages amongst these areas in order to help market an identifiable Delta-brand.

Public education has also been discussed as an important goal of a Delta NHA. Due to the Delta's prime location between urban centers, it can serve as an important educational area both for both students in structured educational programs, as well as for leisure travelers. Education projects may include interpretive panels, outdoor learning facilities, museum displays, thematic tours, etc. Topics for education programs could include ecology and wildlife, agriculture, water resources, immigrant communities, reclamation, and more.

*5. The resources important to the identified theme or themes of the area retain a degree of integrity capable of supporting interpretation.*



Resources throughout the Delta retain integrity to support the interpretation of the identified NHA themes. Specific resources include historic buildings and districts, museums, bridges, public lands, agritourism sites, trails, heritage festivals, and more.

*6. Residents, business interests, nonprofit organizations, and governments within the proposed area are involved in the planning, have developed a conceptual financial plan that outlines the roles for all participants including the federal government, and have demonstrated support for designation of the area.*

This feasibility study has consisted of comprehensive public outreach and engagement with a variety of organizations representing local residents, local businesses, recreation, agriculture, Delta history, local government, and more. Through study team meetings, public meetings, stakeholder interviews, public review memos, public presentations, and more; residents and stakeholders have had significant involvement in the development of this feasibility study.

The DPC has a membership of 15, with a predominant local representation. If NHA designation is granted, and the DPC serves as the management entity, it can utilize its membership and existing network of local stakeholders to develop a management plan which is representative of the diverse interests and capabilities of the region. A TAC and a SAC would be formed to ensure that the necessary perspectives and expertise are brought to the table for regular input throughout the development of the NHA management plan.

Due to the current uncertainties of funding from both public and private sources, financial planning for a Delta NHA is conceptual. Federal funding awards currently range from \$150,000 to \$1,000,000, with a maximum of \$1,000,000 per year for 10 years, though awards have generally declined in recent years. Additionally, the management entity must be capable of meeting the 50% cash matching requirements for the federal funds. The DPC has had a strong history of acquiring grant funding for various projects, and a good understanding of potential funding sources for relevant projects. A nonprofit organization would also be a valuable partner organization to assist with fundraising.

Support from a variety of stakeholder groups, local governments, agencies, and nonprofits has been expressed for a Delta NHA. The DPC has received numerous letters of support, as well as partnership commitments, which can be found in appendix 6.

*7. The proposed management entity and units of government supporting the designation are willing to commit to working in partnership to develop the heritage area.*

Contra Costa and Sacramento counties have both provided letters of support for a Delta NHA, which include commitments to the DPC to participate in various aspects of NHA development.

*8. The proposal is consistent with continued economic activity in the area.*

Recreation and tourism are key drivers of the Delta economy, with roughly 12 million visitor days of use annually, a direct economic impact of more than a quarter of a billion dollars in visitor spending, and support of about 3,000 jobs in the five Delta counties. Despite its current contributions, significant constraints exist to Delta recreation and tourism, including the lack of a Delta brand/regional identity, and limited access to recreational areas. Identified goals of a Delta NHA include the branding of the Delta as a region of national significance; the development of necessary visitor amenities to assist with public access; economic development; and the promotion of heritage tourism, agritourism and ecotourism in the Delta.

*9. A conceptual boundary map is supported by the public.*

Two boundary alternatives had been proposed as part of this process; one consisting of the Delta Primary Zone with a few add-ons, and the other consisting of much of the Legal Delta, plus Suisun Marsh and Carquinez Strait. The topic of the NHA boundary was discussed in a series of three public meetings that the DPC held throughout the Delta, a study team meeting, and the December 2011 DPC meeting. Correspondence was also received from Delta counties and other entities on the topic. Through these activities and communications, significantly more support was expressed for the second boundary alternative. Therefore DPC staff has made the recommendation to use the second boundary alternative, with the addition of the city of Rio Vista due to the city's relevant resources and their desire to be included.

*10. The management entity proposed to plan and implement the project is described.*

The proposed management entity is the DPC with a new or existing nonprofit, private 501c3 serving as a partner organization to assist with fundraising. The DPC is a locally recognized agency in the Delta, with a predominant local membership, and has an extensive network of local stakeholders to whom it conducts regular outreach to. Additionally, a Technical Advisory Committee (TAC) and a Stakeholder Advisory Committee (SAC) would be formed to provide regular input throughout the process. Local agency staff whose jurisdiction includes falls within the NHA boundaries, including staff from all five Delta counties, would be invited to serve on the TAC. Members from a spectrum of local stakeholder groups (representing recreation, businesses, cultural and natural resources, landowners, agriculture, etc.) would be invited to serve on the SAC.

## Chapter 12 – Conclusion

This document explains the DPC’s study on the feasibility of a NHA designation in the Delta, including key components such as NHA themes, resources, potential partners, management, and conceptual boundaries. To date, local stakeholders have indicated support for the Delta NHA, and goals have been proposed which include branding, economic development, tourism promotion, visitor infrastructure development (public restrooms, directional signage, dockage, and garbage receptacles), historic preservation, interpretive signage, education programs, and more.

In summary, the mission of a Delta NHA includes the recognition, enhancement and promotion of ‘Delta-as-a-Place’. This concept can help to further build a public understanding of the Delta’s rich history; existing communities; natural resources; and sheer importance locally, statewide, nationally, and internationally. A Delta NHA would be a locally driven, collaborative approach to resource management, which could help built more support in preserving, protecting, and enhancing the Delta.

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